THE CONGRESSIONAL FRONT
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THE LEGION OF UNDISCIPLINED.

Just as society generally has its anti-social individuals who fail to observe the laws and rules laid down by society in the interest of public health, safety and good morals, and must therefore be punished by fine or imprisonment, so the Army and Navy, by the very law of averages gets their quota of persons who fail to adhere to discipline or to the rules laid down for the conduct of the services and who must, therefore, in like manner be fined or imprisoned. One might refer to this group as the Legion of Undisciplined because they have failed for one reason or another to adjust themselves to military or naval discipline and have failed to abide by the rules. Intimes of peace, the Army and Navy can well afford to err on the side of leniency concerning those who violate the rules, but in time of war, it is a different matter. The very size of the military and naval organization requires discipline. Victory is a matter of teamwork involving the coordinated effort of all. If it breaks down at any point, not only is victory placed in jeopardy but there is involved the lives of others as well. During the war, therefore, there has been no disposition to quarrel with the procedure whereby violators of the military code are charged with offenses, tried by a court martial and then sentenced if found guilty. Now that the war is over, however, the matter commands attention. Not only is the future welfare of thousands of young men involved who were court martialed and sentenced to prison or to disciplinary barracks but it involves the hearts and feelings of mothers and fathers back home who must quietly suffer the odium and stigma that goes with it.

FORGOTTEN MEN.

From time to time efforts have been initiated to investigate the whole judicial procedure of the Army and Navy. Most recent endeavor in this direction is a resolution by the Cleveland Bar Association. Many allegations have been made. It is said that enlisted men in the Army and Navy do not receive proper attention when charged with some offense. It is said that they become the forgotten men. It is said that the Court Martial code virtually makes the military or naval officers the judge, jury and prosecutor. It is said that the accused must depend for aid and advice upon counsel who are inept, amateurish and untrained. It is said that too often, proper allowance is not made for physical or mental defects which existed in enlisted men prior to enlistment or induction. It is said that the civilian record of the youngsters in service is not considered and that proper allowance is not made in the case of first offenders. In any event, interest is gradually developing in the matter and action is on the way.

IMPORTANCE OF THIS MATTER.

The annual report of the Judge Advocate General of the Navy Department indicates that for the fiscal year ending on June 30, 1945, 27,861 General Courts Martial were reviewed by the Judge Advocate General. In addition there were 92,236 Summary Courts Martial and 123,476 Deck Courts involving minor offenses. Here then is a total of more than 243,000 courts martial of all kinds in a single year in the Navy. In the case of General Courts Martial, sentences can be extremely severe and can include long imprisonment together with dishonorable discharge from the service. That means that many young men in the service who finally achieve freedom will go forth into civil life with a black stain on the record that is inerasible unless some action is taken.

A BOUQUET FOR ARMY AND NAVY.

Let it be said that the Army and Navy have grown quite mindful of the problem which is involved and have already taken affirmative steps which look toward remedial action. Secretary Stimson has appointed former Senator and later Circuit Judge Minton of Indiana as Chairman of a Special Commission to investigate military court martial procedure and also review the 35,000 convictions under which men who were serving in the armed services are now in prison or in disciplinary barracks. Long ago Secretary of the Navy Forrestal while serving as Under Secretary became cognizant of this problem and enlisted the services of a prominent New York attorney in reviewing the matter. That work is also definitely under way and there is reason to believe that a report may be forthcoming on this whole problem in the near future.
The Human Aspect.

It may be argued with considerable merit that men in the service know the rules and regulations and that in the interest of discipline they must be punished for all infractions. But let it not be forgotten that when millions of young Americans including youngsters of tender age are dispersed to all corners of the earth, away from the ties of home and subject to the ravages of nostalgia and homesickness, there comes a time for compassion when it is remembered that so many of them were good young citizens before, were first time offenders and that many of the infractions involve no moral turpitude nor hardness of heart. Perhaps they will not be the forgotten legion after all.